Title: METHOD AND APPARATUS FOR FACILITATING USER SELECTION OF AN ITEM CATEGORY IN AN ONLINE AUCTION

REMARKS

In the Restriction Requirement mailed June 28, 2005, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-8, 17-24, 33-40, 56-57, 60-61, 64-65, 70 and 72, drawn to a method, a computer readable medium, and an article of manufacture for displaying a category field in a display window, classified in class 705, subclass 1.
- II. Claims 9-16, 25-32, 41-48, 58-59, 62-63, 66-67, 71, 73 and 75, drawn to a method, a computer readable medium, and an article of manufacture for providing a plurality of category entries to be displayed, classified in class 705, subclass 37.
- III. Claims 49-55, 68-69, 74 and 76, drawn to a system with a database and a server to provide the category entries to be displayed, to respond to a detection of the detection of one category entry, and to determine whether the database contains a subcategory of entries that are hierarchically related to the one category entry, classified in class 705, subclass 26.

Applicant provisionally elects, without traverse, Group II, claims 9-16, 25-32, 41-48, 58-59, 62-63, 66-67, 71, 73 and 75. Applicant respectfully cancels claims 1-8, 17-24, 33-40, 49-57, 60-61, 64-65, 70, 72, 74 and 76 (Groups I and III) without prejudice or disclaimer and reserves the right to reintroduce the non-elected claims in a divisional application(s) at a later date.

CONCLUSION

In accordance with 37 CFR 1.121(b), only the non-compliant section of Applicant's previously-submitted Restriction Requirement Response has been included in this response.

Applicant respectfully submits that the Examiner withdraw the non-compliant status and examine the Restriction Requirement Response as appropriate.

The Examiner is invited to telephone Applicant's attorney at 408-278-4041 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ALEX DAI-SHUN POON

By his Representatives,

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Date 11 03/2005

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Garth Vivier Reg. No. 57,313

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4 day of November. 2005.

JACLYN

SKIBA

Name

Signature